

**DEPARTMENT OF EDUCATION**  
**Montpelier, Vermont**

**TEAM:** Commissioner's Office

**ITEM:** Will the State Board of Education approve the request of the Newark School to waive one student attendance day for the 2007-08 school year?

**RECOMMENDED ACTION:** Will the State Board of Education not approve the request of the Newark School to waive one student attendance day for the 2007-08 school year

**STATUTORY AUTHORITY:** 16 V.S.A. § 1071(c)

**BACKGROUND INFORMATION:**

In a communication dated April 2, 2008, the board of directors of the Newark School requested that the State Board waive one student attendance days due to a snow day on Friday, March 21, 2008. Five previous snow days have been or will be made up by June 13, 2008.

16 V.S.A. § 1071(c) states: "When a public school is closed for cause beyond the control of the school board it may petition the state board for a waiver of the requirements of this section. The petition shall be filed with the state board within 10 days of each occurrence and not later than June 15 of the school year involved; and the state board shall act on the petition at its next meeting. If the petition is approved and a waiver granted, the school district shall be deemed to have satisfied the requirements of this section. If the state board fails to act at that meeting, the petition shall be deemed to have been approved and the waiver granted."

Given that there are two and half months remaining in the school year, and given the correlation of the minimum attendance requirements and student outcomes, the Commissioner recommends the denial of this request.

**COST IMPLICATIONS:** N/A

**STAFF AVAILABLE:**

Richard Cate, Commissioner; Mark Oettinger, General Counsel

April 2, 2008 ( received via email)

Richard H. Cate, Commissioner  
Vermont Department of Education

Dear Commissioner:

Please consider this request on behalf of the Board of Education in Newark, Vermont, to waive one student attendance day during the 2007-08 school year.

Newark Street School was faced with its sixth snow day on Friday, March 21, 2008. Five previous snow days have been made up already or are scheduled to be made up by June 13, 2008. If this request is granted, students will attend only 174 days this year.

Jeff Hare, is the teaching principal of this rural school with 40 students, K-8. The academic performance of students is above the state average and still improving. Mr. Hare has assured me the high quality education Newark students are receiving will continue. Kindly refer this request to the State Board of Education, if appropriate. I truly appreciate your attention. Thank you.

Sincerely,

Victoria S. Scheufler  
Superintendent, Caledonia North Supervisory Union

CNSU MISSION: Teachers, Students, Parents and Community are working together to ensure that each school provides an environment that is safe, fun, respectful, and educationally challenging for all.